

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA

UNITED STATES COURTHOUSE  
N.W. 4<sup>TH</sup> AND HARVEY, OKLAHOMA CITY, OKLAHOMA  
COURTROOM NO. 401 – FOURTH FLOOR

CRIMINAL JURY TRIAL DOCKET BEFORE JUDGE STEPHEN P. FRIOT

TUESDAY, MARCH 10, 2020 – 9:30 A.M.

NOTICE TO ALL COUNSEL:

You are directed by Judge Friot to appear before the Court on **March 4, 2020, at 10:30 a.m.**, for docket call. All requested voir dire, requested jury instructions and proposed verdict forms, motions in limine, and trial briefs shall be filed not later than **February 28, 2020**, *unless otherwise directed by prior order of the Court*. Any objections/responses to other parties' requested voir dire, requested jury instructions and proposed verdict forms, motions in limine, and trial briefs shall be filed not later than **March 3, 2020**, *unless otherwise directed by prior order of the Court*. (In addition to filing, the parties shall submit their requested jury instructions and verdict forms in Word format to the Clerk via the Court's designated mailbox: [friot-orders@okwd.uscourts.gov](mailto:friot-orders@okwd.uscourts.gov). An index to requested jury instructions, by title, would also be helpful but is not required *unless otherwise indicated by the court, below*.) All proposed jury instructions shall include citations to the legal authority which supports them.

**SPECIAL NOTE RE: RULE 404(b) NOTICES**

Compliance with the notice requirement of F. R. Evid. Rule 404(b), if applicable, is a condition precedent to the admission of Rule 404(b) evidence. U.S. v. Lopez-Gutierrez, 83 F.3d 1235, 1241 (10<sup>th</sup> Cir. 1996). The court strongly encourages the service of a Rule 404(b) notice, if required, not later than seven days before the beginning of the trial. In determining, in its discretion, whether "reasonable notice" has been given, the court will consider, among other things: (i) whether the notice was provided sufficiently in advance of trial to give the defendant adequate time to respond thereto, (ii) whether the notice was provided sufficiently in advance of trial to give the court adequate time to consider the issues thereby presented, and (iii) whether the timing of the notice is such that the jury would have to stand by while the court addresses the issues thereby presented.

Trial counsel shall familiarize themselves with Judge Friot's trial procedures by reviewing parts G and I of Judge Friot's Chambers Procedures at <http://www.okwd.uscourts.gov/files/jfriotrules.pdf>. Please pay particular attention to the procedures with respect to preparation of exhibit notebooks.

Judge Friot's courtroom has complete digital presentation capability. Counsel are strongly encouraged to take full advantage of this capability – it will make your presentation of your evidence more effective and will reduce the amount of time spent handling exhibits. Court staff will be happy to familiarize you with the capabilities of this courtroom.

**Three** copies of the parties' typewritten lists of witnesses and exhibits are to be given to Judge Friot's courtroom deputy before jury selection.

**Exhibits** are to be marked numerically, **including the case number**, and are to be placed in three-ring binders separated by tabs. Two copies of the exhibit notebook will be provided to the Court on the first day of trial. One of those two sets will be for Judge Friot, and the other will be placed on the witness stand for reference by witnesses. The set placed on the witness stand will be the record copy of the exhibits, with the original exhibit sticker affixed. (Any exhibits not admitted will be removed by the courtroom deputy before the record copy goes to the jury room.)

If any party anticipates offering numerous documents into evidence at trial (say, more than 100), the Court would welcome a compact disc or a thumb drive with a PDF file for each exhibit.

All attorneys and other persons entering the U.S. Courthouse will be required to show valid photo identification to the Court Security Officer.

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CR-19-334-F	United States of America	Jason M. Harley
	-vs-	
	Gallan Smelley (detained)	W. Brett Behenna

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CR-19-335-F	United States of America	Wilson D. McGarry
	-vs-	
	Troy Don Sheppard (on bond)	Kyle E. Wackenheim

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CR-19-349-F	United States of America	Matthew P. Anderson
	-vs-	
	Julio Raphael Hernandez (detained)	Teresa K. Brown

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CR-19-398-F	United States of America	William E. Farrior
	-vs-	
	Luis Ramirez-Chico (detained)	Laura K. Deskin

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CR-19-403-F	United States of America	Edward J. Kumiega
	-vs-	
	Trevor Kane Taylor (detained)	Kyle E. Wackenheim

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CR-19-411-F	United States of America	Ashley L. Altshuler
	-vs-	
	Tavares Donnell Colbert (detained)	William H. Bock

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CR-19-412-F	United States of America	Arvo Q. Mikkanen
	-vs-	
	Tedric Lemay Smith (detained)	William P. Earley

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CR-20-006-F	United States of America	Ashley L. Altshuler
	-vs-	
	Jade Christian Nichols (detained)	Kyle E. Wackenheim

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CR-20-008-F	United States of America	Arvo Q. Mikkanen
	-vs-	
	Manuel de la Cruz, Jr. (detained)	Joseph L. Wells

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CR-20-014-F	United States of America	Thomas B. Snyder
	-vs-	
	Tarence D. McLane (detained), Jeremiah D. Bouziden (detained)	David B. Autry Richard W. Anderson

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CR-20-016-F	United States of America	Brandon T. Hale
	-vs-	
(interpreter needed)	Jose Antonio Meza-Nieto (detained)	Julia C. Summers